



*Rosebud Sioux Tribe*  
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SEP 5 2000 May 29, 2000

FEDERAL COMMUNICATIONS COMMISSION  
U.S. DEPARTMENT OF COMMERCE

William E. Kennard, Chairman  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, D.C. 20554

Re: *Petition for Designation as an Eligible Telecommunications Carrier and  
for Related Waivers to Provide Universal Service to the Crow Reservation.  
Montana, CC Docket No. 96-45, DA 99-1847*

Dear Chairman Kennard:

*For over two years now, the Federal Communications Commission ("FCC") has focused on the extraordinary need of telecommunications service on American Indian reservations. All residents of Indian reservations must have access to high-quality basic and advanced telecommunications services. We have great hope that your effort in this regard will translate into reservations having equal access to the telecommunications services necessary to bring about solid economic and social prosperity.*

*The Rosebud Sioux Tribe from South Dakota supports the sovereign request of the Crow Tribe's request to have the Federal Communications Commission grant Eligible Telecommunications Carrier ("ETC") status to Western Wireless Corporation for services on the Crow reservation. As a South Dakota Tribe, we are concerned that the failure to grant ETC status will necessarily force the Crow Tribe, and all similarly situated tribes to defer to the state to receive telephone service and subsidies not necessarily of our own choosing. We remind the Commission that we are domestic sovereign nations and we hold precious our right to regulate our own activities on our reservation. It is the Commission's federal trust responsibility to insure that our sovereignty is upheld.*

*Where as referenced in our December 17, 1999 letter (attached) to Federal Communications Commission regarding Common Carrier Docket No. 96-45, we understand that Western Wireless has been denied ETC status in South Dakota. The Rosebud Sioux Tribe is in a uniquely prejudiced position because the state of South Dakota has already denied ETC status to Western Wireless Corporation for South Dakota for reasons we are sure they found valid. To have the state of South Dakota making this decision for our tribal citizens on our reservation is unacceptable. We were neither consulted nor informed about the process. Surely, you can see why the Commission's action in this instance is so important for as surely as the Rosebud Sioux Tribal Council does not have jurisdiction outside of our tribal reservation boundaries*

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*neither does the state of South Dakota have jurisdiction within our tribal reservation boundaries.*

*We feel full ETC designation must be determined at the federal level with our advice and consent thus enabling a competitive telecommunications environment. Including the tribes in a competitive telecommunication environment not only benefits the Crow Tribe and the Rosebud Sioux Tribe but all of Indian country. Accordingly, we our full support of approving the Western Wireless petition for ETC status on the Crow Tribe requests.*

*As you well know, however, some reservations, such as ours, have been the last frontier in the deployment of telecommunications and information services. This has severely handicapped our people's economic and social development. The time is now for immediate FCC action on several matters, including the designation of competitive carriers, like Western Wireless, as an Eligible Telecommunications Carrier (ETC) and making federal universal service funding available to competitive carriers serving our reservation.*

*We specifically request positive and expeditious action by the FCC on the petition of Western Wireless submitted to the FCC on August 4, 1999, in which Western Wireless seeks ETC status to provide service to Crow Tribal reservation lands within the context of the universal service subsidy program. Western Wireless has the full support of the Crow Nation. Western Wireless stands ready to build the necessary infrastructure to provide basic and advanced telecommunications services on the reservation, and the residents of the Crow reservation desperately want the service offered by Western Wireless. The Western Wireless offering is extremely important to not only the Crow Nation but to Indian country in general. The opportunity for competitive, affordable wireless telephone service on reservations should not pass us by.*

*This is critically important to us and to all other tribes similarly situated. Thank you in advance for your support.*

*Sincerely,*

  
William Kindle, Chairman  
Rosebud Sioux Tribe

cc: *Chairlady Nomee*  
*Western Wireless Corporation*  
*Charles W. Blackwell*  
*Commissioner Tristani*  
*Commissioner Ness*  
*Commissioner Powell*  
*Commissioner Furthgott-Roth*  
*FCC Common Carrier Bureau*  
*Senator Dorgan*  
*Senator Conrad*  
*Senator Burns*  
*Senator Campbell*  
*Senator Inouye*  
*Senator Baccus*  
*Senator McCain*  
*Charles W. Blackwell, Esq.*